
WILTON, NEW HAMPSHIRE

LAND USE LAWS



DRIVEWAY REGULATIONS

SECTION G

(Adopted December 21, 2005; Amended November 7, 2018)

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1.0 AUTHORITY

The Town of Wilton Planning Board hereby adopts the following regulation pursuant to its authority as set forth at RSA 236:13, and establishes that no driveway accessing private property from a public way in the Town of Wilton shall be constructed without compliance with this regulation. These regulations may be amended by the Planning Board following a public hearing on the proposed change.

2.0 PURPOSE

In order to promote safe and efficient ingress and egress from private property, driveways require certain controls. Driveway designs shall establish grades that adequately protect and promote safe and controlled approach to the highway in all seasons of the year. In addition to proper access, they shall provide for suitable discharge and control of surface drainage in and around the entrance (within the Town Right of Way).

3.0 PERMITS

Anyone desiring to construct, alter, or relocate a driveway within the Town Right of Way, shall first apply for a permit from the Town of Wilton Director of Public Works, who is hereby delegated the authority to administer these regulations on the part of the Planning Board. The Director of Public Works shall prescribe the application form for such a permit and shall have the authority, in appropriate cases, to require the applicant to provide suitable surety to guarantee the performance of conditions of the issuance of the permit. The Director of Public Works is empowered to act on behalf of the Planning Board with regard to any and all of the duties and prerogatives set forth in RSA 236:13 (V) and (VI), in order to implement these regulations and the foregoing statutes.

Note that any driveway accessing a State highway must first obtain a permit from the State of New Hampshire, Department of Transportation. The state permit must be forwarded to the Director of Public Works

4.0 GENERAL PROVISIONS

- a. The Wilton Planning Board, in consultation with the Director of Public Works, may waive any of the following requirements when it is shown that strict compliance would cause undue hardship and a waiver is not contrary to the public interest. A waiver shall not compromise the public safety.
- b. Construction of any driveway shall not be conducted without a permit. Erosion controls must be in place prior to construction commencing,
- c. No use of such driveway (except of a temporary nature during construction) shall take place until the Director of Public Works has inspected the construction of the driveway and certified that said driveway conforms to the specifications set forth in this regulation.
- d. No Certificate of Occupancy shall be granted without the final construction inspection and permit of the driveway.
- e. All driveways shall be constructed only in the location shown on the approved driveway permit. A scale drawing with proposed drive location and dimensions shall be provided with the driveway permit form.
- f. All driveways shall be constructed in accordance with applicable town regulations or the State of New Hampshire Department of Transportation specifications and State of NH Statutes as applicable.
- g. Private Common Driveways shall be built according to the plans and specifications approved by the Wilton Planning Board (see standards below).
- h. The maximum number of driveway entrances allowed per lot shall be one (1) unless otherwise permitted by the Planning Board.

- i. Any parcel that is changing use or expanding a use shall obtain a driveway permit.
- j. If a bridge is required, it shall be designed and stamped by a Civil or Structural engineer licensed in New Hampshire. Bridge must be rated for expected load and construction is subject to approval by a Civil or Structural engineer licensed in New Hampshire.
- k. All driveways providing access to a primary residence or building shall be numbered from both directions, with a letter, number, and symbol height of at least four (4) inches, contrasting with the background of the sign and installed and maintained so as to be easily readable from public ways at night. When a house is within thirty (30) feet of the right-of-way, as an alternative, the number may be placed only on the house, with approval of the Code Enforcement Officer.
- l. Any driveway, private way or road serving two or more addressable structures shall be named using road naming rules outlined by the National Emergency Number Association and recommendations of New Hampshire 911. Said name will require written approval of the Select Board. Name will be posted on a sign or signs conforming to guidelines and standards of the Department of Public Works. Road naming rules:
 1. If the road is continuous, do not change names at an intersection, curve or some other point.
 2. Avoid sound-alike names (Bay View Dr. or Bayview Dr.)
 3. Do not use names with a different suffix (Smith Rd., Smith La.)
 4. Use NENA recommended format for road/street names (e.g., Prefix Directional – 2 characters, Street Name- 40 characters, Street Suffix-4 characters and Post Directional-2 characters)
 5. Do not use special characters such as hyphens, apostrophes or dashes.

5.0 DRIVEWAY ENTRANCE REQUIREMENTS

- a. General Requirements
 1. Minimum Width of any residential driveway at Property Line shall be 15 feet
 2. Maximum Width of any residential driveway at Property Line shall be 24 feet
 3. Minimum distance between centerline of drives for all parcels that are not located in the Residential District is 110 feet
 4. Minimum distance from intersections (on the same side of road) for all parcels that are not located in the Residential District is 110 feet
 5. Minimum distance between centerline of drives for parcels located in the Residential District is 60 feet (this includes drives on opposite side of ROW)
 6. Minimum distance from intersection for all parcels located in the Residential District is 60 feet
 7. Industrial and Commercial driveways shall be designed for their proposed use.
 8. Minimum distance between centerline of drives to property lines shall be 30 feet
- b. All Driveways should intersect the street at a ninety (90) degree angle and shall not be less than sixty (60) degrees from the Town Right of Way line.
- c. The grade of the driveway shall slope ¼" to ½" per foot (2% to 4%) downward away from the edge of the traveled surface of the Town roadway to the center of the roadway ditch line, to ensure the driveway does not drain into the street.
- d. If it is determined during consultation with the Town of Wilton Director of Public Works that a culvert is required, the minimum shall be fifteen inches (15") in diameter, sixteen gauge (16) riveted aluminum, corrugated steel, reinforced concrete, or polypropylene. The culvert shall be a minimum of twenty feet (20') long and with all headers mortared or

securely fastened to avoid end damage by vehicles. A paved swale may be allowed within the ditch line to provide drainage relief if the applicant can show that the installation of a culvert is neither appropriate nor possible to install.

- e. An all-season safe sight distance shall be established. The minimum all-season safe sight distance shall be 200 feet. The required all-season safe sight distance shall be based on the posted speed limit as follows:

	<u>Type of road</u>	<u>Speed limit, or if None, Typical Speed</u>	<u>Minimal Safe Sight Distance</u>
(a)	minor roads	30 mph or lower	200 feet
(b)	through roads	31 - 40 mph	275 feet
(c)	through roads	41 - 50 mph	400 feet
(d)	major roads	51 - 60 mph	525 feet

Un-posted roads shall be assumed to be thirty (30) mph.

- f. The all-season safe sight distance shall be measured from a point three feet nine inches (3'9") above the proposed driveway surface and be located in the proposed driveway at least ten feet (10') back from the edge of the traveled way. From this point, the critical line of sight shall be measured in both directions to a point three feet nine inches (3'9") above the Town roadway at a distance described above and be applicable for approaching vehicles in both directions from the proposed driveway. Any obstructions shall be noted on the plan. All obstructions shall be removed to a distance 5 feet behind the sight line to ensure all-season safe sight line. All obstructions shall be removed prior to final inspection for the Driveway Permit.

6.0 DESIGN REQUIREMENTS

- a. No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on or under the highway right-of-way. Mailboxes and house numbers for emergency services are exempt.
- b. In order to protect the physical integrity of town roads, driveways that abut paved roads shall be constructed with paved aprons that shall be as wide as the driveway, including flares, and at least ten (10) feet in depth, measured from the town road edge of pavement. The apron shall be paved with a minimum of two (2) inches of pavement, and the finished height shall not be higher than the road.
- c. All new driveways established to serve structures intended for human occupancy shall have a maximum grade of ten percent (10%). The purpose of the maximum grade requirement is to ensure public safety and accessibility for emergency vehicles. However, grades of up to 12 percent (12%) may be permitted by the Planning Board, in consultation with the Fire Chief, for short distances, no more than 15 percent (15%) of the total length of the common drive, on a case by case basis. This standard shall not apply to driveways intended to serve non-occupancy structures, such as utility service buildings, and other private ways intended for purposes such as logging, silviculture, agriculture and recreational access.
- d. Driveways of 150 feet in length or greater shall provide an adequate turnaround for emergency vehicles subject to approval of the Wilton Fire Chief.
- e. Driveways must be constructed and maintained in suitable condition for emergency vehicles. Driveways longer than 300 feet must provide suitable by-passes that will allow two emergency vehicles to pass. Such by-passes should be located at approximately 300 foot intervals as the topography dictates and shall be constructed of adequate size and load bearing ability to accommodate a 30 foot long fire truck weighing 15 tons.

7.0 *MAINTENANCE AND RESPONSIBILITY:*

- a. Pursuant to RSA 236:13 VI, The owners of the property accessed by a driveway shall have continuing responsibility for the adequacy of the driveway and any grades, culverts, or other structures pertaining to such driveway, whether or not located within the public right-of-way. If any such driveway is or becomes a threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the Selectmen or their designee may issue an order to the landowner or other party responsible for such driveway to repair or remove such hazardous condition and to obtain any and all permits required therefore. The order shall describe the hazard, prescribe the corrective action, and set a reasonable time for completion. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under these regulations. If the order is not complied with within the time prescribed, the Selectmen or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the Town of Wilton for its costs in taking such action.
- b. The owner of the property accessed by the driveway shall have continuing responsibility for maintaining sight distance. No obstructions e.g., signage, ornaments, lighting, vegetative growth, etc., shall be permitted to hinder sight distance.

8.0 *DRIVEWAY PERMIT APPLICATION*

See following page for application.

WILTON LAND USE LAWS AND REGULATIONS
SECTION G - DRIVEWAY ENTRANCE REGULATION

TOWN OF WILTON, NEW HAMPSHIRE

Driveway Permit Application



Town of Wilton Highway Garage: Phone: (603) 654-6602

PERMIT # _____

DATE ____ / ____ / ____

APPLICANT _____ PHONE # _____

ADDRESS _____

Street # / PO Box Town State Zip

LOCATION _____ TAX MAP _____ LOT# _____

Is this part of an approved subdivision or lot line adjustment? ☐ Yes ☐ No

Permission to construct, within the Town right-of-way, a driveway, entrance, exit, approach-adjoining Street/Road pursuant to the location and specifications as described below, is hereby granted. By submitting this driveway permit, you agree to construct said driveway in accordance with Section G: Driveway Regulations. **Failure to complete construction of said driveway within ONE CALENDAR YEAR of the date of this permit shall render permit null and void.** Any driveway constructed in violation of these conditions shall be corrected immediately upon notification by a Department representative, or the costs of removing said facility shall be fully borne by the owner. No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on or under the highway right-of-way. (Mailboxes and house numbers for emergency services are exempt.)

Please attach a sketch to application.

See the Town of Wilton Land Use Laws and Regulations, *Driveway Regulations, G.*

Driveway width at front property line _____ (Ft.)

Distance between driveways _____ (Ft.)

Distance from nearest intersection _____ (Ft.)

Sight distance _____ (Ft.) to the left; _____ (Ft.) to the right

*******DO NOT FILL OUT BELOW THIS LINE*******

1. This permit requires that the area adjacent to the highway be graded such that the surface will slope from the edge of pavement to a line ____feet distance from and parallel to the pavement and ____ inches below the edge of pavement.

2. One (1) driveway entrance(s) is/are permissible. Driveway not to exceed _____ feet in width. The driveway entrance(s) may be flared as they approach the pavement. Width of pavement at edge of highway not to exceed _____ feet.

3. Potential accesses to the highway from the premises not permitted as driveways are to be blocked by construction of a barrier or barriers, such as a grass plot, low hedge, curbed island, etc. The front face of a barrier island shall be outside the right-of-way line. No part of the right-of-way may be used for any purpose other than travel.

DATE ____ / ____ / ____ APPROVED FOR _____

CONSTRUCTION BY:

Wilton Director of Public Works

DATE: ____ / ____ / ____ FINAL APPROVAL _____

AFTER CONSTRUCTION BY:

Wilton Director of Public Works

NOTE: Please return this form to the Town Office.